

PRESIDENTIAL CANDIDATE AMENDMENTS

2011 THIRD SPECIAL SESSION

STATE OF UTAH

LONG TITLE**General Description:**

This bill amends provisions relating to elections.

Highlighted Provisions:

This bill:

- ▶ authorizes and establishes requirements for a political party to participate in a regular primary election for office of the President of the United States if there is no Western States Presidential Primary;
- ▶ directs the lieutenant governor to certify the results of the primary canvass to a political party by August 1;
- ▶ makes certain exceptions for presidential candidates in the primary election process;
- ▶ requires a political party to certify presidential electors by August 31; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

This bill provides an immediate effective date.

Utah Code Sections Affected:**AMENDS:**

- 20A-4-306**, as last amended by Laws of Utah 2009, Chapter 202
- 20A-9-201**, as last amended by Laws of Utah 2011, Chapters 58 and 208
- 20A-9-202.5**, as enacted by Laws of Utah 1999, Chapter 22
- 20A-9-403 (Superseded 01/01/12)**, as last amended by Laws of Utah 2011, Chapters 292, 297, and 335
- 20A-9-403 (Effective 01/01/12)**, as last amended by Laws of Utah 2011, Chapters 292, 297, 327, and 335
- 20A-9-802**, as last amended by Laws of Utah 2008, Chapter 225
- 20A-13-301**, as last amended by Laws of Utah 2001, Chapter 78

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **20A-4-306** is amended to read:

20A-4-306. Statewide canvass.

(1) (a) The state board of canvassers shall convene:

(i) on the fourth Monday of November, at noon; or

(ii) at noon on the day following the receipt by the lieutenant governor of the last of the returns of a statewide special election.

(b) The state auditor, the state treasurer, and the attorney general are the state board of canvassers.

(c) Attendance of all members of the state board of canvassers shall be required to constitute a quorum for conducting the canvass.

(2) (a) The state board of canvassers shall:

(i) meet in the lieutenant governor's office; and

(ii) compute and determine the vote for officers and for and against any ballot propositions voted upon by the voters of the entire state or of two or more counties.

(b) The lieutenant governor, as secretary of the board shall file a report in his office that details:

(i) for each statewide officer and ballot proposition:

(A) the name of the statewide office or ballot proposition that appeared on the ballot;

(B) the candidates for each statewide office whose names appeared on the ballot, plus any recorded write-in candidates;

(C) the number of votes from each county cast for each candidate and for and against each ballot proposition;

(D) the total number of votes cast statewide for each candidate and for and against each ballot proposition; and

(E) the total number of votes cast statewide; and

(ii) for each officer or ballot proposition voted on in two or more counties:

(A) the name of each of those offices and ballot propositions that appeared on the ballot;

(B) the candidates for those offices, plus any recorded write-in candidates;

(C) the number of votes from each county cast for each candidate and for and against each ballot proposition; and

(D) the total number of votes cast for each candidate and for and against each ballot proposition.

(c) The lieutenant governor shall:

(i) prepare certificates of election for:

(A) each successful candidate; and

(B) each of the presidential electors of the candidate for president who received a majority of the votes;

(ii) authenticate each certificate with his seal; and

(iii) deliver a certificate of election to:

(A) each candidate who had the highest number of votes for each office; and

(B) each of the presidential electors of the candidate for president who received a majority of the votes.

(3) If the lieutenant governor has not received election returns from all counties on the fifth day before the day designated for the meeting of the state board of canvassers, the lieutenant governor shall:

(a) send a messenger to the clerk of the board of county canvassers of the delinquent county;

(b) instruct the messenger to demand a certified copy of the board of canvasser's report required by Section 20A-4-304 from the clerk; and

(c) pay the messenger the per diem provided by law as compensation.

(4) The state board of canvassers may not withhold the declaration of the result or any certificate of election because of any defect or informality in the returns of any election if the board can determine from the returns, with reasonable certainty, what office is intended and who is elected to it.

(5) (a) At noon on the fourth Monday after the regular primary election, the lieutenant governor shall:

(i) canvass the returns for all multicounty candidates required to file with the office of the lieutenant governor; and

(ii) publish and file the results of the canvass in the lieutenant governor's office.

(b) ~~[The]~~ Not later than the August 1 after the primary election, the lieutenant governor shall certify the results of:

(i) the primary canvass, except for the office of President of the United States, to the county clerks ~~[not later than the August 1 after the primary election.]; and~~

(ii) the primary canvass for the office of President of the United States to each registered political party that participated in the primary.

(6) (a) At noon on the day that falls seven days after the last day on which a county canvass may occur under Section 20A-4-301 for the Western States Presidential Primary election, the lieutenant governor shall:

(i) canvass the returns; and

(ii) publish and file the results of the canvass in the lieutenant governor's office.

(b) The lieutenant governor shall certify the results of the Western States Presidential Primary canvass to each registered political party that participated in the primary not later than the April 15 after the primary election.

Section 2. Section **20A-9-201** is amended to read:

20A-9-201. Declarations of candidacy -- Candidacy for more than one office or of more than one political party prohibited with exceptions -- General filing and form requirements -- Affidavit of impecuniosity.

(1) Before filing a declaration of candidacy for election to any office, a person shall:

(a) be a United States citizen; and

(b) meet the legal requirements of that office.

(2) (a) Except as provided in Subsection (2)(b), a person may not:

(i) file a declaration of candidacy for, or be a candidate for, more than one office in Utah during any election year; or

(ii) appear on the ballot as the candidate of more than one political party.

(b) (i) A person may file a declaration of candidacy for, or be a candidate for, President or Vice President of the United States and another office, if the person resigns the person's candidacy for the other office after the person is officially nominated for President or Vice President of the United States.

(ii) A person may file a declaration of candidacy for, or be a candidate for, more than one justice court judge office.

126 (3) (a) (i) Except for presidential candidates, before the filing officer may accept any
127 declaration of candidacy, the filing officer shall:

128 (A) read to the prospective candidate the constitutional and statutory qualification
129 requirements for the office that the candidate is seeking; and

130 (B) require the candidate to state whether or not the candidate meets those
131 requirements.

132 (ii) Before accepting a declaration of candidacy for the office of county attorney, the
133 county clerk shall ensure that the person filing that declaration of candidacy is:

134 (A) a United States citizen;

135 (B) an attorney licensed to practice law in Utah who is an active member in good
136 standing of the Utah State Bar;

137 (C) a registered voter in the county in which the person is seeking office; and

138 (D) a current resident of the county in which the person is seeking office and either has
139 been a resident of that county for at least one year or was appointed and is currently serving as
140 county attorney and became a resident of the county within 30 days after appointment to the
141 office.

142 (iii) Before accepting a declaration of candidacy for the office of district attorney, the
143 county clerk shall ensure that, as of the date of the election, the person filing that declaration of
144 candidacy is:

145 (A) a United States citizen;

146 (B) an attorney licensed to practice law in Utah who is an active member in good
147 standing of the Utah State Bar;

148 (C) a registered voter in the prosecution district in which the person is seeking office;
149 and

150 (D) a current resident of the prosecution district in which the person is seeking office
151 and either will have been a resident of that prosecution district for at least one year as of the
152 date of the election or was appointed and is currently serving as district attorney and became a
153 resident of the prosecution district within 30 days after receiving appointment to the office.

154 (iv) Before accepting a declaration of candidacy for the office of county sheriff, the
155 county clerk shall ensure that the person filing the declaration of candidacy:

156 (A) as of the date of filing:

157 (I) is a United States citizen;

158 (II) is a registered voter in the county in which the person seeks office;

159 (III) (Aa) has successfully met the standards and training requirements established for

160 law enforcement officers under Title 53, Chapter 6, Part 2, Peace Officer Training and

161 Certification Act; or

162 (Bb) has met the waiver requirements in Section 53-6-206; and

163 (IV) is qualified to be certified as a law enforcement officer, as defined in Section

164 53-13-103; and

165 (B) as of the date of the election, shall have been a resident of the county in which the

166 person seeks office for at least one year.

167 (v) Before accepting a declaration of candidacy for the office of governor, lieutenant

168 governor, state auditor, state treasurer, attorney general, state legislator, or State Board of

169 Education member, the filing officer shall ensure:

170 (A) that the person filing the declaration of candidacy also files the financial disclosure

171 required by Section 20A-11-1603; and

172 (B) if the filing officer is not the lieutenant governor, that the financial disclosure is

173 provided to the lieutenant governor according to the procedures and requirements of Section

174 20A-11-1603.

175 (b) If the prospective candidate states that the qualification requirements for the office

176 are not met, the filing officer may not accept the prospective candidate's declaration of

177 candidacy.

178 (c) If the candidate meets the requirements of Subsection (3)(a) and states that the

179 requirements of candidacy are met, the filing officer shall:

180 (i) inform the candidate that:

181 (A) the candidate's name will appear on the ballot as it is written on the declaration of

182 candidacy;

183 (B) the candidate may be required to comply with state or local campaign finance

184 disclosure laws; and

185 (C) the candidate is required to file a financial statement before the candidate's political

186 convention under:

187 (I) Section 20A-11-204 for a candidate for constitutional office;

(II) Section 20A-11-303 for a candidate for the Legislature; or

(III) local campaign finance disclosure laws, if applicable;

(ii) except for a presidential candidate, provide the candidate with a copy of the current campaign financial disclosure laws for the office the candidate is seeking and inform the candidate that failure to comply will result in disqualification as a candidate and removal of the candidate's name from the ballot;

(iii) provide the candidate with a copy of Section 20A-7-801 regarding the Statewide Electronic Voter Information Website Program and inform the candidate of the submission deadline under Subsection 20A-7-801(4)(a);

(iv) provide the candidate with a copy of the pledge of fair campaign practices described under Section 20A-9-206 and inform the candidate that:

(A) signing the pledge is voluntary; and

(B) signed pledges shall be filed with the filing officer;

(v) accept the candidate's declaration of candidacy; and

(vi) if the candidate has filed for a partisan office, provide a certified copy of the declaration of candidacy to the chair of the county or state political party of which the candidate is a member.

(d) If the candidate elects to sign the pledge of fair campaign practices, the filing officer shall:

(i) accept the candidate's pledge; and

(ii) if the candidate has filed for a partisan office, provide a certified copy of the candidate's pledge to the chair of the county or state political party of which the candidate is a member.

(4) Except for presidential candidates, the form of the declaration of candidacy shall be substantially as follows:

"State of Utah, County of ____

I, _____, declare my intention of becoming a candidate for the office of ____ as a candidate for the ____ party. I do solemnly swear that: I will meet the qualifications to hold the office, both legally and constitutionally, if selected; I reside at _____ in the City or Town of _____, Utah, Zip Code _____ Phone No. _____; I will not knowingly violate any law governing campaigns and elections; I will file all

campaign financial disclosure reports as required by law; and I understand that failure to do so will result in my disqualification as a candidate for this office and removal of my name from the ballot. The mailing address that I designate for receiving official election notices is _____.

Subscribed and sworn before me this _____(month\day\year).

Notary Public (or other officer qualified to administer oath.)"

(5) (a) Except for presidential candidates, the fee for filing a declaration of candidacy is:

(i) \$25 for candidates for the local school district board; and

(ii) 1/8 of 1% of the total salary for the full term of office legally paid to the person holding the office, but not less than \$5, for all other federal, state, and county offices.

(b) Except for presidential candidates, the filing officer shall refund the filing fee to any candidate:

(i) who is disqualified; or

(ii) who the filing officer determines has filed improperly.

(c) (i) The county clerk shall immediately pay to the county treasurer all fees received from candidates.

(ii) The lieutenant governor shall:

(A) apportion to and pay to the county treasurers of the various counties all fees received for filing of nomination certificates or acceptances; and

(B) ensure that each county receives that proportion of the total amount paid to the lieutenant governor from the congressional district that the total vote of that county for all candidates for representative in Congress bears to the total vote of all counties within the congressional district for all candidates for representative in Congress.

(d) (i) A person who is unable to pay the filing fee may file a declaration of candidacy without payment of the filing fee upon a prima facie showing of impecuniosity as evidenced by an affidavit of impecuniosity filed with the filing officer and, if requested by the filing officer, a financial statement filed at the time the affidavit is submitted.

(ii) A person who is able to pay the filing fee may not claim impecuniosity.

(iii) (A) False statements made on an affidavit of impecuniosity or a financial

statement filed under this section shall be subject to the criminal penalties provided under Sections 76-8-503 and 76-8-504 and any other applicable criminal provision.

(B) Conviction of a criminal offense under Subsection (5)(d)(iii)(A) shall be considered an offense under this title for the purposes of assessing the penalties provided in Subsection 20A-1-609(2).

(iv) The filing officer shall ensure that the affidavit of impecuniosity is printed in substantially the following form:

"Affidavit of Impecuniosity

Individual Name

_____Address_____

Phone Number _____

I, _____(name), do solemnly [swear] [affirm], under penalty of law for false statements, that, owing to my poverty, I am unable to pay the filing fee required by law.

Date _____ Signature_____

Affiant

Subscribed and sworn to before me on _____ (month\day\year)

(signature)

Name and Title of Officer Authorized to Administer Oath _____"

(v) The filing officer shall provide to a person who requests an affidavit of impecuniosity a statement printed in substantially the following form, which may be included on the affidavit of impecuniosity:

"Filing a false statement is a criminal offense. In accordance with Section 20A-1-609, a candidate who is found guilty of filing a false statement, in addition to being subject to criminal penalties, will be removed from the ballot."

(vi) The filing officer may request that a person who makes a claim of impecuniosity under this Subsection (5)(d) file a financial statement on a form prepared by the election official.

(6) If there is no legislative appropriation for the Western States Presidential Primary election, as provided in Part 8, Western States Presidential Primary, a candidate for President

of the United States who is affiliated with a registered political party and chooses to participate in the regular primary election shall:

(a) file a declaration of candidacy, in person or via a designated agent, with the lieutenant governor:

(i) on a form developed and provided by the lieutenant governor; and

(ii) on or after the second Friday in March and before 5 p.m. on the third Thursday in March before the next regular primary election;

(b) identify the registered political party whose nomination the candidate is seeking;

(c) provide a letter from the registered political party certifying that the candidate may participate as a candidate for that party in that party's presidential primary election; and

(d) pay the filing fee of \$500.

~~[(6)]~~ (7) Any person who fails to file a declaration of candidacy or certificate of nomination within the time provided in this chapter is ineligible for nomination to office.

~~[(7)]~~ (8) A declaration of candidacy filed under this section may not be amended or modified after the final date established for filing a declaration of candidacy.

Section 3. Section **20A-9-202.5** is amended to read:

20A-9-202.5. Declaration of candidacy -- Western States Presidential Primary.

(1) As used in this section:

(a) "Presidential candidate" means a person seeking nomination for President of the United States from a Utah registered political party.

(b) "Utah registered political party" means a political party that has complied with the requirements of Title 20A, Chapter 8, Political Party Formation and Procedures, to become a political party officially recognized by the state.

(2) Each presidential candidate, or the candidate's designated agent, shall file a declaration of candidacy with the lieutenant governor as provided in:

(a) Section 20A-9-803[-], for participation in the Western States Presidential Primary election; or

(b) Section 20A-9-201, for participation in the regular primary election.

Section 4. Section **20A-9-403 (Superseded 01/01/12)** is amended to read:

20A-9-403 (Superseded 01/01/12). Regular primary elections.

(1) (a) The fourth Tuesday of June of each even-numbered year is designated as regular

312 primary election day.

313 (b) Each registered political party that chooses to use the primary election process to
314 nominate some or all of its candidates shall comply with the requirements of this section.

315 (2) (a) As a condition for using the state's election system, each registered political
316 party that wishes to participate in the primary election shall:

317 (i) declare their intent to participate in the primary election;

318 (ii) identify one or more registered political parties whose members may vote for the
319 registered political party's candidates and whether or not persons identified as unaffiliated with
320 a political party may vote for the registered political party's candidates; and

321 (iii) certify that information to the lieutenant governor no later than 5 p.m. on March 1
322 of each even-numbered year.

323 (b) As a condition for using the state's election system, each registered political party
324 that wishes to participate in the primary election shall:

325 (i) certify the name and office of all of the registered political party's candidates to the
326 lieutenant governor no later than 5 p.m. on May 13 of each even-numbered year; and

327 (ii) certify the name and office of each of its county candidates to the county clerks by
328 5 p.m. on May 13 of each even-numbered year.

329 (c) By 5 p.m. on May 16 of each even-numbered year, the lieutenant governor shall
330 send the county clerks a certified list of the names of all statewide candidates, multicounty
331 candidates, or single county candidates that shall be printed on the primary ballot and the order
332 the candidates are to appear on the ballot in accordance with Section 20A-6-305.

333 (d) ~~[(i) Except as provided in Subsection (2)(d)(ii),]~~ Except for presidential candidates,
334 if a registered political party does not wish to participate in the primary election, it shall submit
335 the names of its county candidates to the county clerks and the names of all of its candidates to
336 the lieutenant governor by 5 p.m. on May 30 of each even-numbered year.

337 ~~[(ii) A registered political party's candidates for president and vice president of the~~
338 ~~United States shall be certified to the lieutenant governor as provided in Subsection~~
339 ~~20A-9-202(4).]~~

340 ~~[(e) Each political party shall certify the names of its presidential and vice-presidential~~
341 ~~candidates and presidential electors to the lieutenant governor's office no later than September~~
342 ~~8 of each presidential election year.]~~

(3) The county clerk shall:

(a) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;

(b) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and

(c) determine the order of the candidates' names on the ballot in accordance with Section 20A-6-305.

(4) After the county clerk receives the certified list from a registered political party, the county clerk shall post or publish a primary election notice in substantially the following form:

"Notice is given that a primary election will be held Tuesday, June ____, ____ (year), to nominate party candidates for the parties and nonpartisan offices listed on the primary ballot. The polling place for voting precinct ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk".

(5) (a) Candidates, other than presidential candidates, receiving the highest number of votes cast for each office at the regular primary election are nominated by their party or nonpartisan group for that office.

(b) If two or more candidates, other than presidential candidates, are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of their party for those positions.

(6) (a) When a tie vote occurs in any primary election for any national, state, or other office that represents more than one county, the governor, lieutenant governor, and attorney general shall, at a public meeting called by the governor and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the governor determines.

(b) When a tie vote occurs in any primary election for any county office, the district court judges of the district in which the county is located shall, at a public meeting called by the judges and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the judges determine.

(7) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the

preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

Section 5. Section **20A-9-403 (Effective 01/01/12)** is amended to read:

20A-9-403 (Effective 01/01/12). Regular primary elections.

(1) (a) The fourth Tuesday of June of each even-numbered year is designated as regular primary election day.

(b) Each registered political party that chooses to use the primary election process to nominate some or all of its candidates shall comply with the requirements of this section.

(2) (a) As a condition for using the state's election system, each registered political party that wishes to participate in the primary election shall:

(i) declare their intent to participate in the primary election;

(ii) identify one or more registered political parties whose members may vote for the registered political party's candidates and whether or not persons identified as unaffiliated with a political party may vote for the registered political party's candidates; and

(iii) certify that information to the lieutenant governor no later than 5 p.m. on March 1 of each even-numbered year.

(b) As a condition for using the state's election system, each registered political party that wishes to participate in the primary election shall:

(i) certify the name and office of all of the registered political party's candidates to the lieutenant governor no later than 5 p.m. on the first Monday after the third Saturday in April of each even-numbered year; and

(ii) certify the name and office of each of its county candidates to the county clerks by 5 p.m. on the first Monday after the third Saturday in April of each even-numbered year.

(c) By 5 p.m. on the first Wednesday after the third Saturday in April of each even-numbered year, the lieutenant governor shall send the county clerks a certified list of the names of all statewide candidates, multicounty candidates, or single county candidates that shall be printed on the primary ballot and the order the candidates are to appear on the ballot in accordance with Section 20A-6-305.

(d) ~~[(i) Except as provided in Subsection (2)(d)(ii)]~~ Except for presidential candidates, if a registered political party does not wish to participate in the primary election, it shall submit the names of its county candidates to the county clerks and the names of all of its candidates to

the lieutenant governor by 5 p.m. on May 30 of each even-numbered year.

~~[(ii) A registered political party's candidates for President and Vice-President of the United States shall be certified to the lieutenant governor as provided in Subsection 20A-9-202(4).]~~

~~[(c) Each political party shall certify the names of its presidential and vice-presidential candidates and presidential electors to the lieutenant governor's office no later than August 31 of each presidential election year.]~~

(3) The county clerk shall:

(a) review the declarations of candidacy filed by candidates for local boards of education to determine if more than two candidates have filed for the same seat;

(b) place the names of all candidates who have filed a declaration of candidacy for a local board of education seat on the nonpartisan section of the ballot if more than two candidates have filed for the same seat; and

(c) determine the order of the candidates' names on the ballot in accordance with Section 20A-6-305.

(4) After the county clerk receives the certified list from a registered political party, the county clerk shall post or publish a primary election notice in substantially the following form:

"Notice is given that a primary election will be held Tuesday, June ____, ____ (year), to nominate party candidates for the parties and nonpartisan offices listed on the primary ballot. The polling place for voting precinct ____ is _____. The polls will open at 7 a.m. and continue open until 8 p.m. of the same day. Attest: county clerk."

(5) (a) Candidates, other than presidential candidates, receiving the highest number of votes cast for each office at the regular primary election are nominated by their party or nonpartisan group for that office.

(b) If two or more candidates, other than presidential candidates, are to be elected to the office at the regular general election, those party candidates equal in number to positions to be filled who receive the highest number of votes at the regular primary election are the nominees of their party for those positions.

(6) (a) When a tie vote occurs in any primary election for any national, state, or other office that represents more than one county, the governor, lieutenant governor, and attorney general shall, at a public meeting called by the governor and in the presence of the candidates

involved, select the nominee by lot cast in whatever manner the governor determines.

(b) When a tie vote occurs in any primary election for any county office, the district court judges of the district in which the county is located shall, at a public meeting called by the judges and in the presence of the candidates involved, select the nominee by lot cast in whatever manner the judges determine.

(7) The expense of providing all ballots, blanks, or other supplies to be used at any primary election provided for by this section, and all expenses necessarily incurred in the preparation for or the conduct of that primary election shall be paid out of the treasury of the county or state, in the same manner as for the regular general elections.

Section 6. Section **20A-9-802** is amended to read:

20A-9-802. Western States Presidential Primary established -- Other ballot items prohibited.

(1) (a) (i) Contingent upon legislative appropriation, there is established a Western States Presidential Primary election to be held on the first Tuesday in February in the year in which a presidential election will be held.

(ii) A political party may participate in a regular primary election for the office of President of the United States only if there is no Western States Presidential Primary election in that year.

(b) Except as otherwise specifically provided in this chapter, county clerks shall administer the Western States Presidential Primary according to the provisions of Title 20A, Election Code, including:

(i) Title 20A, Chapter 1, General Provisions;

(ii) Title 20A, Chapter 2, Voter Registration;

(iii) Title 20A, Chapter 3, Voting;

(iv) Title 20A, Chapter 4, Election Returns and Election Contests;

(v) Title 20A, Chapter 5, Election Administration; and

(vi) Title 20A, Chapter 6, Ballot Form.

(c) (i) The county clerks shall ensure that the ballot voted by the voters at the Western States Presidential Primary contains only the names of candidates for President of the United States who have qualified as provided in this part.

(ii) The county clerks may not present any other items to the voters to be voted upon at

467 this election.

468 (2) Registered political parties, and candidates for President of the United States who
469 are affiliated with a registered political party, may participate in the Western States Presidential
470 Primary established by this part.

471 (3) As a condition for using the state's election system, each registered political party
472 wishing to participate in Utah's Western States Presidential Primary shall:

473 (a) declare their intent to participate in the Western States Presidential Primary;

474 (b) identify one or more registered political parties whose members may vote for the
475 registered political party's candidates and whether or not persons identified as unaffiliated with
476 a political party may vote for the registered political party's candidates; and

477 (c) certify that information to the lieutenant governor no later than 5 p.m. on the June
478 30 of the year before the year in which the presidential primary will be held.

479 Section 7. Section **20A-13-301** is amended to read:

480 **20A-13-301. Presidential elections -- Effect of vote.**

481 (1) (a) Each registered political party shall choose persons to act as presidential electors
482 and to fill vacancies in the office of presidential electors for their party's candidates for
483 President and Vice President according to the procedures established in their bylaws.

484 (b) ~~[The person designated as liaison with the lieutenant governor's office shall~~
485 ~~transmit]~~ Each registered political party shall certify to the lieutenant governor the names and
486 addresses of the persons selected by the political party as the party's presidential electors by
487 August 31.

488 (2) The highest number of votes cast for a political party's president and vice president
489 candidates elects the presidential electors selected by that political party.

490 Section 8. **Effective date.**

491 If approved by two-thirds of all the members elected to each house, this bill takes effect
492 upon approval by the governor, or the day following the constitutional time limit of Utah
493 Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto,
494 the date of veto override.

Legislative Review Note
as of 9-30-11 4:56 PM

Office of Legislative Research and General Counsel